

REMARKS

This is in response to the Office Action dated August 23, 2006. Claims 1-9 are currently pending.

Claim 1

Claim 1 now stands rejected under Section 103(a) as being allegedly unpatentable over Matsuzaki (previously cited) in view of Johnson (US 5,625,775). This is a new ground of rejection. This new Section 103(a) rejection is respectfully traversed for at least the following reasons.

Claim 1 for example calls for a managing method for ordering a composition of a plurality of units to form a *composite apparatus which is a copying machine, a facsimile machine, a printing machine, or a composite machine comprising multiple of said machines, through an ordering apparatus* and for managing said ordered composite apparatus, the method comprising causing said ordering apparatus to receive unit information for *specifying units constituting a composite apparatus, which is the copying machine, the facsimile machine, the printing machine, or the composite machine comprising multiple of said machines.*

Matsuzaki fails to disclose or suggest the above italicized features of claim 1. Matsuzaki relates to a system for a toy plane, and has nothing to do with ordering a copying machine, a facsimile machine, a printing machine, or a composite machine comprising multiple of said machines, through an ordering apparatus as recited in claim 1. Recognizing this flaw in Matsuzaki, the Office Action cites to Johnson.

However, Johnson and Matsuzaki are entirely unrelated and deal with drastically different subject matters and are not properly combinable. They are non-analogous. Matsuzaki relates to a manufacturing system which accepts custom orders for products such as toy planes.

On the other hand, Johnson relates to a proposal preparation system for selling computer equipment. The two references are non-analogous and are not properly combinable under Section 103(a). There is no suggestion or motivation in the cited art for the alleged combination. Hindsight is not permitted.

Additionally, both Matsuzaki and Johnson fail to disclose or suggest (a) causing said composite apparatus (which is the copying machine, the facsimile machine, the printing machine, or the composite machine comprising multiple of said machines) to *inform the composite state information to said ordering apparatus*; and (b) *comparing the composite state information created by said ordering apparatus and the composite state information informed by said composite apparatus*, as required by claim 1. Nothing in Matsuzaki or Johnson discloses or suggests these features of claim 1. Thus, even the alleged combination of the two references fails to meet the claim in these respects.

Johnson appears to disclose selecting parts and assembling thereof on a monitor display, which is a simulation for so-called BTO. On the other hand, the Examiner has admitted that Matsuzaki's toy plane is not a composite apparatus. However, the Examiner contends that composite state information is compared between "an ordering department" and "a designing department" of Matsuzaki. Applying these contentions to claim 1, the order for units constituting the designing department should be received by the ordering department. However, it is apparent that in Matsuzaki the receiving department does not receive an order for units constituting the designing department, by an order for units constituting a toy plane.

On the other hand, claim 1 requires causing said composite apparatus to recognize unit information for specifying units to be composed itself. That is, according to claim 1, the composite apparatus exists and itself recognizes unit information which specifies units making

up itself – this feature is not disclosed or suggested in any of the cited art. Thus, the Examiner’s position is inappropriate and the rejection should be withdrawn. The rejection is fundamentally flawed.

If one were to assume that the toy plane of Matsuzaki does not constitute a composite apparatus as alleged by the Examiner, then according to the Examiner the design department would be constituted in accordance with the order received by the ordering department – this clearly does not occur in Matsuzaki. That is, in Matsuzaki, the ordering department does not receive an order for units constituting the design department, but instead receives orders for units constituting toy planes.

Accordingly, if the composite apparatus in Matsuzaki is the toy plane (most appropriate), then the cited art does not meet the claim at least because the toy plane itself in Matsuzaki does not recognize unit information which specifies units making up the toy plane. On the other hand, if the toy plane is not the composite apparatus in Matsuzaki (less appropriate) as alleged by the Examiner (and the design department is a composite apparatus as alleged by the Examiner), then the claim cannot possibly be met because the design department is not constituted in accordance with the order received by the ordering department.

For the reasons set forth above, the Section 103(a) rejection of claim 1 is fundamentally flawed and should be withdrawn.

Other Claims

Because the alleged combination of the two references is legally flawed, the Section 103(a) rejections of claims 1-9 are flawed and should be withdrawn.

Furthermore, regarding claim 4, both Matsuzaki and Johnson fail to disclose or suggest “means for comparing the transmitted composite state information and the composite state

information corresponding to the composite apparatus information stored by said storing means" as required by claim 4. Because both references fail to disclose or suggest this feature, even the alleged combination fails to meet the invention of claim 4 in this respect.

Regarding claim 5, both Matsuzaki and Johnson fail to disclose or suggest "*means for comparing the composite state information transmitted from said ordering apparatus and the composite state information transmitted from said composite apparatus*" as required by claim 5. Because both references fail to disclose or suggest this feature, even the alleged combination fails to meet the invention of claim 5 in this respect.

Furthermore, regarding claim 7, both Matsuzaki and Johnson fail to disclose or suggest "*comparing received composite state information and the composite state information stored in said storing means*" as required by claim 7. Because both references fail to disclose or suggest this feature, even the alleged combination fails to meet the invention of claim 7 in this respect.

Additionally, regarding claims 8-9, these claims also require *comparing received composite state information and the stored composite state information*. Again, both Matsuzaki and Johnson fail to disclose or suggest this feature of claims 8-9. Because both references fail to disclose or suggest this feature, even the alleged combination fails to meet the invention of claims 8-9 in this respect.

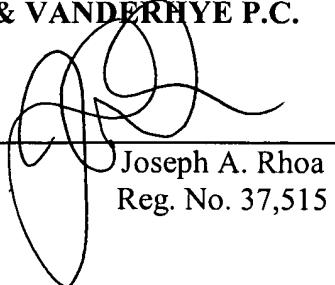
It is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

YAMASAKI, K. et al.
Appl. No. 10/028,825
December 22, 2006

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Joseph A. Rhoa
Reg. No. 37,515

JAR:caj
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100